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32798-2003

PATENT APPLICATION**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:)
AMICO ET AL.)
Application No.: 10/825,216)
Filed: April 16, 2004)
For: SYSTEM AND METHOD FOR)
DIGITIZING A PATTERN)
Examiner: KAUFFMAN, Brian K.
Group Art Unit: 3765
Confirmation No.: 7252
June 30, 2005

MAIL STOP RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
U.S.A.

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This communication is responsive to the Restriction Requirement mailed June 1, 2005. In order to expedite prosecution, Applicants elect, without making any admissions, to proceed with examination of claims 1-3 on a without prejudice basis and reserve the right to file one or more additional applications claiming priority to the present application.

Applicants also enclose herewith a Supplementary Information Disclosure Statement citing US-2004/0247180-A1.

Applicants respectfully point out to the Examiner that the claims pending in US-2004/0247180-A1 are substantially the same as claims 1-3 in the present application. Applicants respectfully submit that they are the proper inventors of claims 1-3 in US-2004/0247180-A1.

- 2 -

Applicants also respectfully identify for the record that the applicant for US-2004/0247180-A1 and the Applicants in the present application are currently engaged in litigation in the United States District Court, Southern District of New York in the matter of *Amico et al. v. Nhega LLC, et al.*, Court File No. 04 CV 01363 (JES). This litigation relates to, *inter alia*, trade secrets and patent interference proceedings involving subject matter of the present application.

Applicants' undersigned agent may be reached in our Toronto, Ontario, Canada office by telephone at (416) 865-0040. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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